

AMENDED IN SENATE APRIL 16, 2004

**SENATE BILL**

**No. 1134**

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**Introduced by Senator Chesbro**  
(Coauthor: Assembly Member Berg)

January 20, 2004

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An act to amend Section 1393.5 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1134, as amended, Chesbro. Employment of minors: agricultural packing plants.

Existing law prescribes limits on the hours of employment of minors, but authorizes the Labor Commissioner to grant an exemption to employers operating agricultural packing plants for employment of minors 16 and 17 years of age for up to 10 hours per nonschool day during peak harvest season. Under existing law, which will be repealed January 1, 2005, that exemption may additionally authorize employment of a minor who is enrolled in a school in Lake County to be employed for more than 48, but not more than 60, hours a week upon prior written approval by the Lake County Board of Education.

Existing law also requires the Labor Commissioner, prior to issuing the Lake County exemption or renewing an exemption, to inspect an affected agricultural packing plant, and to file a written report with the Legislature on or before March 1 of each year describing the general working conditions of minors employed in the agricultural packing industry during the past year, as specified. Existing law further requires an affected employer, on or before March 1 of each year, as a condition of receiving that exemption or a renewal of that exemption, to file a written report to the Labor Commissioner, as specified.

This bill would extend the operation of those provisions until January 1, 2012, but would remove the requirement that the Labor Commissioner file a written report with the Legislature each year describing the general working conditions of minors employed in the agricultural packing industry 2008.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1393.5 of the Labor Code is amended  
2 to read:

3 1393.5. (a) Notwithstanding any other provision of this  
4 article or Article 2 (commencing with Section 49110) of Chapter  
5 7 of Part 27 of the Education Code, an exemption issued pursuant  
6 to Section 1393 may authorize the employment of a minor, who  
7 is enrolled in any public or private school in the County of Lake,  
8 for more than 48 hours but not more than 60 hours in any one week,  
9 only upon prior written approval by the Lake County Board of  
10 Education.

11 (b) Each year, the Labor Commissioner, prior to issuing or  
12 renewing an exemption under this section, shall inspect the  
13 affected agricultural packing plant.

14 (c) As a condition of receiving an exemption or a renewal of an  
15 exemption under this section, an affected employer shall, on or  
16 before March 1 of each year, file a written report to the Labor  
17 Commissioner that contains the following employment  
18 information regarding the employer's prior year's payroll:

19 (1) The number of minors employed by that employer.

20 (2) A list of the age and hours worked on a weekly basis of each  
21 minor employed.

22 (d) *The Labor Commissioner shall submit a written report to*  
23 *the Legislature, on or before March 1 of each year, that describes*  
24 *the general working conditions of minors employed in the*  
25 *agricultural packing industry during the past year, and that*  
26 *includes all of the following information:*

27 (1) *The number of minors employed in the agricultural packing*  
28 *industry.*

29 (2) *The number of exemptions issued, renewed, or denied*  
30 *pursuant to this section.*

1     (3) *A summary of the inspections conducted by the Labor*  
2     *Commissioner pursuant to this section.*

3     (4) *The number of workplace injuries that occurred to minors*  
4     *at agricultural packing plants.*

5     (5) *The number of violations of labor laws and regulations that*  
6     *occurred at agricultural packing plants.*

7     (e) This section shall remain in effect only until January 1, ~~2012~~  
8     2008, and as of that date is repealed.

